IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 21320 of 2004

Between:

1 Mohd Imran Khan S/o Mohd Dawood Khan
R/o 2-4-697, Near RTC., Cross Road Hyderabad
2 Mohd Azeem S/o M.A. Shakur
R/o APSRTC., Quarters Buildings, 15/5, Kachiguda, Hyderabad

..... PETITIONERS

AND

1 Inspector of Police, Task Force, Begumpet, Hyderabad
2 The Station House Officer, ramgopalpet Police Station, Secunderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Order or direction more particularly a Writ in the nature of Writ of Mandamus declaring the action of the respondents in calling the petitioners to the police Station and detaining the petitioners for hours as illegal and arbitrary and violative of Article 21 of the Constitution of India and consequently direct the respondents not to call the petitioners to the police Station.

Counsel for the Petitioner:MR.A.RAVI SHANKAR

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following ORDER:

Petitioners complain that they are being called to the police station by the Task Force, Begumpet, without issuing any notice or registering any case. They state that on account of such action on the part of the respondents, their livelihood and respect are at stake.

Learned counsel for the petitioners submits that unless and until any case is registered or any definite purpose is indicated, a citizen cannot be required to attend the police station, that too, frequently at the whims and fancies of the police authorities.

Learned Government Pleader for Home, on instructions, submits that the respondents did not call the petitioners to police station and in case they propose to take any action, they would certainly follow the procedure prescribed under law.

In the teeth of the allegations by the petitioners and the denial by the respondents, it is difficult for this Court to record any definite finding. The fact, however, remains that the petitioners cannot be required to attend the police

station or other places for interrogation without being informed any reason for the same. Further, if the respondents had any definite information or complaint against the petitioners, they have to follow the procedure prescribed by law.

The writ petition is disposed of recording the statement made on behalf of the respondents that they are not requiring the petitioners to attend the police station and in case the presence of the petitioners is required, the procedure prescribed would be followed. There shall be no order as to costs.

23.11.2004

ksld

To

1 Inspector of Police, Task Force, Begumpet, Hyderabad
2 The Station House Officer, Ramgopalpet Police Station, Secunderabad

3 Two CCs. to the Govt. Pleader for Home, High Court of A.P.(OUT)

4 Two CD copies.